

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL M. CORJASSO, III,

Petitioner,

2:97-cv-0018-GEB-GGH-P

vs.

ROBERT AYERS, et al.,

Respondents.

ORDER

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Petitioner, a state prisoner proceeding through counsel, has filed this application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.

On September 21, 2005, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed

1 within twenty days. Respondents have filed objections to the  
2 findings and recommendations.

3 In accordance with the provisions of 28 U.S.C.  
4 § 636(b)(1)(C) and Local Rule 72-304, this court has conducted a  
5 de novo review of this case. Having carefully reviewed the  
6 entire file, the court finds the findings and recommendations to  
7 be supported by the record and by proper analysis.

8 Accordingly, IT IS HEREBY ORDERED that:

9 1. The findings and recommendations filed  
10 September 21, 2005, are adopted in full; and

11 2. Respondents' June 16, 2005 motion to dismiss is  
12 denied.

13 Dated: November 22, 2005

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15 /s/ Garland E. Burrell, Jr.  
16 GARLAND E. BURRELL, JR.  
17 United States District Judge  
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